

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**January 25, 2010**

DIVISION THREE

B204194      People                                  (Not for Publication)  
v.  
Juan Solis, et al.

The judgment is affirmed.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                  Kitching, J.

DIVISION FOUR

B214681      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
G.J.

The March 11, 2009 order summarily denying appellant's section 388 petition is reversed. The matter is remanded to the juvenile court with directions to conduct a hearing on the merits of appellant's petition.

Suzukawa, J.

We concur: Willhite, Acting P.J.  
Manella, J.

## DIVISION FOUR (continued)

B212533 Prather, Jr. (Not for Publication)

V.

City of Los Angeles

The judgment is affirmed. Respondent(s) to recover costs.

Suzukawa, J.

We concur: Willhite, Acting P.J.  
Manella, J.

## DIVISION SIX

B209736 People (Not for Publication)

V.

Miguel A. Morales

The judgment is modified to show a total credit for time served of 491 days, consisting of 427 days of actual presentence custody plus 64 days of conduct credit. In all other respects, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy to the Department of Corrections and Rehabilitation.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.

B214204 People (Not for Publication)

**v.**

Josie Jasmine Alejandre

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.  
Coffee, J.

January 25, 2010 (Continued)

## DIVISION SIX (continued)

B214870 People (Not for Publication)  
v.  
Flores

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.

[illegible]

We affirm the judgments entered May 21, 2008, and July 16, 2008. Costs on appeal are awarded to respondent.

Coffee, J.

We concur:    Gilbert, P.J.  
                             Yegan, J.

B215822      People      (Not for Publication)  
v.  
Javier M.

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.  
Yegan, J.

## DIVISION SIX (continued)

B215572      Angle                      (Not for Publication)  
v.  
Barnett

The judgment is affirmed. Costs to respondent.

Coffee, J.

We concur:    Gilbert, P.J.  
                              Yegan, J.

B210198 People (Not for Publication)  
v.  
Cortez

The judgment is modified to reflect a consecutive four-month sentence for the section 12022, subdivision (a)(1) firearm enhancement on count 5. As so modified, appellant's total state prison term shall be nine years four months. The trial court shall forward a modified abstract of judgment to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

Perren, J.

We concur:    Gilbert, P.J.  
                              Yegan, J.

B213788      Fabricante Development  
v.  
City of Oxnard

Filed order denying petition for rehearing.

## DIVISION SEVEN

B217437 People (Not for Publication)  
v.  
Randolph

The order is affirmed.

Perluss, P.J.

We concur: Woods, J.  
Jackson, J.

B208663      People      (Not for Publication)  
v.  
Mixco

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.  
Jackson, J.

B218616      In re Julio Mixco on Habeas Corpus      (Not for Publication)

The petition for writ of habeas corpus is denied.

Zelon, J.

We concur: Perluss, P.J.  
Jackson, J.

## DIVISION SEVEN (continued)

B211696 People (Not for Publication)  
v.  
Rodriguez

The matter is remanded for re-sentencing in accordance with this opinion. In all other respects, the judgment is affirmed.

Zelon, J.

We concur: Woods, Acting P.J.  
Jackson, J.

B214516 People (Not for Publication)  
v.  
Juarez

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.  
Jackson, J.

## January 25, 2010 (Continued)

## DIVISION SEVEN (continued)

1010218-10

The Honorable JOHN SEGAL, Judge of the Superior Court of California, County of Los Angeles, is hereby assigned to assist the Court of Appeal, Second Appellate District, Division Seven, as a justice thereof, on the following dates:

January 22, 2010 to March 31, 2010

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal Justice, all petitions for rehearing arising out of such causes and matters. This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

January 8, 2010

Ronald M George  
Chief Justice of California and  
Chairperson of the Judicial

## DIVISION EIGHT

B212567 People (Not for Publication)  
v.  
Miguel S. Garcia

The judgment is affirmed with directions to the trial court to modify Garcia's total aggregate determinate sentence by imposing and indeterminate term of 15 years to life, rather than 25 years to life, on his conviction on count 1 for forcible rape. Further, the trial court is to impose and stay sentence on either count 12 or 13. In all other respects, Garcia's convictions and sentence are affirmed. The trial court is directed to forward a corrected abstract of judgment to the Department of Corrections.

Bigelow, J.

We concur: Rubin, Acting P.J.  
Mohr, J. (Assigned)

## DIVISION EIGHT (continued)

B213471 People (Not for Publication)

V.

Ernia A. Balladarez

The judgment is affirmed.

Bigelow, J.

We concur: Flier, Acting P.J.  
Mohr, J. (Assigned)

B213481 People (Not for Publication)

V.

Julio C. Barragan

The judgment is affirmed.

Bigelow, J.

We concur: Rubin, Acting P.J.  
Flier, J.

B213945 Nassir Mohaber, et al. (Not for Publication)

V.

Farhad Zomorodi

The judgment is affirmed. Respondent Zomorodi is to recover his costs on appeal from Mohaber.

Bigelow, J.

We concur: Rubin, Acting P.J.  
Mohr, J. (Assigned)



## DIVISION EIGHT (continued)

B215404      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Joseph T., et al.  
In re Naomi T., et al., Person Coming Under the Juvenile Court Law.

The judgment is affirmed.

Bigelow, J.

We concur: Flier, Acting P.J.  
Mohr, J. (Assigned)

B211202      People                                  (Not for Publication)  
v.  
Carl Stanley Brown

The judgment is reversed and the case is remanded for a new trial consistent with the views and directions set forth in this opinion.

Flier, Acting P.J.

We concur: Bigelow, J.  
Mohr, J. (Assigned)

January 25, 2010 (Continued)

DIVISION EIGHT (continued)

1009511-10

The Honorable PETER D LICHTMAN, Judge of the Superior Court of California, County of Los Angeles, is hereby assigned to assist the Court of Appeal, Second Appellate District, Division Eight, as a justice thereof, on the following dates:

January 1, 2010 To February 28, 2010

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal Justice, all petitions for rehearing arising out of such causes and matters. This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

November 19, 2009

Ronald M George  
Chief Justice of California and  
Chairperson of the Judicial